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Item 4 (b) of the provisional agenda

ORGANIZATIONAL MATTERS

ADOPTION OF THE RULES OF PROCEDURE

Note by the interim secretariat

1. According to Article 7.2(k), the Conference of the Parties (COP) is required to "agree upon and adopt, by consensus, rules of procedure ... for itself and for any subsidiary bodies."
2. The COP has before it document A/AC.237/L.22/Rev.2, which contains the draft rules of procedure of the COP and its subsidiary bodies. This document was the outcome of the informal consultations conducted by Vice-Chairman T. P. Sreenivasan (India) at the eleventh session of the Intergovernmental Negotiating Committee for a Framework Convention on Climate Change. Since the Committee was unable to arrive at a consensus on this matter, it decided to remit the draft rules of procedure contained in document A/AC.237/L.22/Rev.2 to the COP for its consideration (see A/AC.237/91/Add.1, conclusion (b)).
3. The Committee further decided to recommend to the COP that it elect the head of the delegation of the host country as President of the Conference at the start of its first session (see A/AC.237/91/Add.1, conclusion (a)).

4. The report on the discussion of the draft rules of procedure at the eleventh session of the Committee is contained in document A/AC.237/91, paragraphs 78-92. That report reflects the different views expressed and proposals made by delegations. As a result of that discussion, the footnote to draft rule 30, Conduct of Business, which had existed in document A/AC.237/L.22/Rev.1, should be considered as reinserted in document A/AC.237/L.22/Rev.2 (see A/AC.237/91, para. 84).^{1/}

5. The COP is invited to adopt by consensus, at the start of its first session, rules of procedure for itself and its subsidiary bodies. Representatives of Parties are urged to undertake consultations to this end before the session, so that the work of the COP may proceed without impediment.

^{1/} That footnote reads as follows: 'Paragraph 106 (c) of the Report of the Committee on its eighth session (A/AC.237/41) states: "Consistent with the Rules of Procedure of the Basel Convention on the Control of Transboundary Movements of Hazardous Wastes and their Disposal, upon which the draft rules were largely based, Rule 30 of the draft rules of procedure would be interpreted as permitting duly accredited observers to participate in 'private' meetings.'"